

Claims 1-36 are pending in the application and subject to a restriction requirement. The Examiner has requested restriction to one of the following inventions (Groups I-III):

I. Claims 1-27, drawn to the compounds and pharmaceutical compositions, classified in class 514, subclass 564.

II. Claims 28-29, drawn to methods of treating a pathological condition, classified in class 514, subclass 564.

III: Claims 30-36, drawn to methods of treating a condition, which is ameliorated by inhibiting or decreasing serine protease activity, classified in class 514, subclass 211.05

Based on the above understanding of the inventive groups, Applicants elect with traverse to prosecute the invention of Group I (claims 1-27, drawn to compounds and pharmaceutical compositions). Applicants' traverse is based on the view that no undue burden has been established for the search and review of all claims.

The Examiner has also requested Applicants to elect a single disclosed species (compound) from the compounds listed in Figure 5A and 5B. In response, Applicants elect Compound D of Figure 5A which corresponds to compounds of the formula of claim 1, wherein each of R^2 , R^3 and R^{4a} is hydrogen, n is 1 and q is 0, X is $-C(=O)-O-$, R^1 is methyl, E is phenyl and T is $-C(=NH)NH_2$. Claims 1-7, 12-16, 18, 21-23, 25-27 are readable thereon. Applicants reserve the right to file a divisional or related application to the claims of the non-elected Groups.

Moreover, in accordance with proper procedure under MPEP § 821.04, Applicants respectfully point out that upon allowance of any product claims, the process claims of Groups II and III of the restriction requirement must be rejoined.

Where product and process claims drawn to independent and distinct inventions are presented in the same application, applicant may be called upon under 35 U.S.C. 121 to elect claims to either the product or process. See MPEP § 806.05(f) and § 806.05(h). The claims to the nonelected invention will be withdrawn from further consideration under 37 CFR 1.142. See MPEP § 809.02(c) and § 821 through § 821.03. However, *if applicant elects claims directed to the product, and a product claim is subsequently found allowable, withdrawn process claims which depend from or otherwise include all the limitations of the allowable product claim will be rejoined.* (see MPEP § 821.04, emphasis added)

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for substantive review on their merits. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5014.

Respectfully submitted,



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